

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 1, 3-9, and 11-19 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

**Rejection of claims 1-7 based on Ismert.**

Claims 1-7 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent 6,126,122 ("Ismert"). For at least the following reasons, this rejection is traversed.

Claim 1 (as amended) recites, among other things, a holder comprising a clip connection of two plastic lockable clamping elements which can be latched to one another, and which hold the pipe/rib block between the two clamping elements. Each clamping element comprises a pressing face which can be pressed against one of the end faces of the pipe/rib block. One of the two clamping elements comprises latching arms which engage over the side faces, and the other of the two clamping elements comprises holding pockets which receive the latching arms. Each pressing face comprises a horizontal series of protruding, pointed holding elements which can be pressed into the end faces. Each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements. Ismert does not teach or suggest this combination of features.

For instance, Ismert does not teach or suggest that each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements. Neither the base member 5 nor the block 25 of Ismert (which the PTO considered to be the clamping elements of claim 1) has two protruding limbs with a vertical series of protruding, pointed holding elements. Because Ismert does not teach this feature, claim 1 is allowable over Ismert.

Claim 2 has been canceled, which renders the rejection of this claim moot.

Claims 3-7 depend from and contain all the features of claim 1, and are allowable for the same reasons as claim 1, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 1 and 8-10 based on Wright

Claims 1 and 8-10 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent 5,601,262 (“Wright”).<sup>1</sup> For at least the following reasons, this rejection is traversed.

Claim 1 (as amended) recites, among other things, a holder comprising a clip connection of two plastic lockable clamping elements which can be latched to one another, and which hold the pipe/rib block between the two clamping elements. Each clamping element comprises a pressing face which can be pressed against one of the end faces of the pipe/rib block. One of the two clamping elements comprises latching arms which engage over the side faces, and the other of the two clamping elements comprises holding pockets which receive the latching arms. Each pressing face comprises a horizontal series of protruding, pointed holding elements which can be pressed into the end faces. Each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements. Wright does not teach or suggest this combination of features.

For instance, Wright does not teach or suggest that each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements. Neither the base 102 nor the cover 104 of Wright (which the PTO considered to be the clamping elements of claim 1) has two protruding limbs with a vertical series of protruding, pointed holding elements. Because Wright does not teach this feature, claim 1 is allowable over Wright.

Claims 8-9 depend from and contain all the features of claim 1, and are allowable for the same reasons as claim 1, without regard to the further patentable features contained therein.

Claim 10 has been canceled, which renders the rejection of this claim moot.

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<sup>1</sup> Although claim 10 is not explicitly rejected, it appears that claim 10 was meant to be rejected over Wright because claim 10 refers to the clamping elements being plastic and the rejection based on Wright refers to a specific material being a matter of design preference.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Consideration and allowability of claims 12-19

Claims 12-19 have been added and are drawn to a heat exchanger comprising a holder.<sup>2</sup> These claims are not independent or distinct from claims 1, 3-4, and 6-9 drawn to the holder because the particulars of the holder of independent claim 1 are also required by the holder recited in the heat exchanger of independent claim 12. Consideration of claims 12-18 is respectfully requested.

Claim 12 recites, among other things, a holder for attaching additional parts to the pipe/rib block and/or for supporting the heat exchanger. The holder comprises a clip connection of two plastic lockable clamping elements which can be latched to one another, and which hold the pipe/rib block between the two clamping elements. Each clamping element comprises a pressing face which presses against one of the end faces of the pipe/rib block. One of the two clamping elements comprises latching arms which engage over the side faces, and the other of the two clamping elements comprises holding pockets which receive the latching arms. Each pressing face comprises a horizontal series of protruding, pointed holding elements which presses into the end faces. Each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements.

As previously mentioned, neither Ismert nor Wright teach or suggests that each pressing face further comprises two protruding limbs spaced apart from each other with a vertical series of protruding, pointed holding elements. Accordingly, claim 12 is allowable over Ismert and Wright.

Claims 13-19 depend from and contain all the features of claim 12, and are allowable for the same reasons as claim 12, without regard to the further patentable features contained therein.

For at least these reasons, allowance of claims 12-19 is respectfully requested.

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<sup>2</sup> It is noted that claim 11 drawn to a holder and heat exchanger combination has been withdrawn as being independent or distinct from the originally claimed holder.

Conclusion


Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 2/26/09

By 

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